

Review of Articles on Voters with Disabilities: Recommendations

Jim Dickson

Register to vote via Section 7 of the NVRA

OH and MO are models for functioning sec. 7 agency programs. In 2010 election cycle 32% of all agency registrations came from these two states even though they constitute only 6% of NVRA covered population. (Demos/League of Women Voters)

Disability voting gap about 12% or 2.2 million voters

Impact of long lines on voters with disabilities

Invisible disabilities makes standing in line difficult if not impossible. Ex. Multiple Sclerosis (MS) not always in wheel chairs; prostatics

Chairs at key points along any line should be standard operating procedure.

GAO testimony before National Council on Disabilities April 23, 2013

Focus on access to polling place and long term facilities and enforcement of accessible polling places by DOJ

Need for DoJ to actually do something about enforcing laws generally under their jurisdiction, whether it be NVRA or HAVA or ADA. There is reference from DoJ of a consent decree as example of enforcement with Flint, Mi. They have made limited progress...not impressive at all.

Polling places in long term care facilities

Continue efforts by states to force polling place assessment and ADA compliance.

EAC Roundtable on usability/accessibility 2008 (B-11)

Interesting discussion on these two topics...a 4 hour transcript without any firm recommendation. Deals more with testing and defining these terms.

Diane Golden Testimony March 2008 EAC (B-12)

Diane is an expert with reasonable approaches to this issue. The roundtable (B-11) asked a number of questions of the panel members. Diane's testimony in a few short pages states what the questions are.

However, my general comment as I wade through all the old 2008 testimony is that in 2013 the states are poised for the next purchase of equipment. IF it ain't built now or nearing testing in the next year or so, it isn't going to be part of the system purchase. State that are currently optical scan (a large number) are not likely to shift to DRE technology. Whatever, comes forth will have to be compatible with the paper based scan technology.

GAO Voters with Disabilities – Additional Monitoring of polling places 2009 (B-3)

Recommendations: DOJ work with states for additional monitoring of election day compliance on accessible polling places

Increase scope of monitoring to include physical access to the voting area and level of privacy and independence being offered to voter by the accessible voting system

Expand the ADA Checklist of Polling Places to incorporate the two items mentioned above.

Wisconsin Government Accountability Board (GAB) polling Place Audits – Impediments Faced by Elderly Voters and Voters with Disabilities

This report should serve as model of auditing that is necessary to continue to move compliance forward.

Good approach with High, Medium and Low Severity labels.

Rutgers University – Disability, Voter Turnout and Voting Difficulties In the 2012 Election – Lisa Schur

Did not pick up recommendations. Rather the data reported should be considered for our report in framing the issue.

Reducing Obstacles to Voting for People with Disabilities – White Paper written for PCEA – Lisa Schur

This paper provides several recommendations to improve voting experience for people with disabilities:

Increase accessibility of polling places – audit, funding

Mobile Voting – taking ballots and voting systems to place where voters reside

Training election officials and poll workers

Outreach and education -- provide information of how to vote using voting equipment etc.

More flexible voting -- early voting permits voter selection of time and place; vote by mail that doesn't require disclosure of a disability has higher turnout.

Absentee Voting by People with Disabilities: Promoting Access and Integrity, McGeorge Law Review, 2007. Tokaji and Colker.

This paper concludes that a number of approaches will be necessary to increase turnout for people with disabilities. There is no silver bullet that corrects all the ills; a menu of choices is offered up:

Better Outreach – contact facilities where many live to educate them on upcoming elections including deadlines for applying for absentee ballots.

Website design so that visually impaired voters may easily navigate the site.

Easy application process – Simplify forms and explore phone and Internet applications.

Permanent AV list for longer term disabilities would eliminate need to apply each election.

More accessible ballots – large type and tactile ballots. Suggestion that another iteration of phone voting may assist voters with disabilities vote from home.

Guidance to caregivers – insure they understand the rules. They should not serve as gatekeepers halting voters from applying for absentee ballots or offer too much help in completing ballots.

Mobile voting – take voting equipment to the voter.

